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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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9   UNITED STATES OF AMERICA,   )   Case No.: 2:21-CR-00108-APG-NJK
)
10   Plaintiff,   )
)   ORDER GRANTING
11 vs.   )   **UNOPPOSED MOTION TO TRANSFER**
)   **EVIDENCE FOR INDEPENDENT**
    IVAN TOVAR-RODRIGUEZ,   )   **EXAMINATION AND TESTING**
12   )
                 Defendant   )
13   )
)
14 _____)

15   COMES NOW, Defendant IVAN TOVAR-RODRIGUEZ, by and through his counsel of

16 record, THOMAS F. PITARO, ESQ., and EMILY K. STRAND, ESQ. of the law firm of PITARO

17 & FUMO, CHTD., hereby moves this Honorable Court for an order making available DEA

18 Exhibits 28 (2020701075), 29 (2020721660), and 32 (2020736419) for independent examination

19 and retesting by the Defense's expert at an independent laboratory.

20   Defense Counsel has retained the services of Drug Detection Laboratories in order to re-

21 weigh and retest DEA Exhibits 28 (2020701075), 29 (2020721660), and 32 (2020736419) in this

22 case. The samples will be delivered via FedEx to Drug Detection Laboratories, 9700 Business

23 Park Drive, Suite 407, Sacramento, California, 95827, whose DEA registration number is

24 RD0500707. The Government does not object to independent examination of the samples as

25 provided above and the parties have conferred with each other as well as with the DEA regarding

26 the Defense's request.

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2   With no objection from either party, the Defense requests that this court issue and order

3 making available DEA Exhibits 28 (2020701075), 29 (2020721660), and 32 (2020736419) for

4 independent examination and retesting by the Defense's expert and providing transfer of the

5 above-referenced samples to Drug Detection Laboratories.

6   This Motion is made and based upon all the papers and pleadings on file herein, the

7 attached points and authorities in support hereof, and oral argument at the time of hearing, if

8 deemed necessary by this Honorable Court.

9   DATED this 23rd day of December, 2021.

10   **PITARO & FUMO, CHTD.**

11   /s/ Thomas F. Pitaro, Esq..
                                          THOMAS F. PITARO, ESQ.

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14   IT IS SO ORDERED.

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16   _____
       NANCY J. KOPPE

17   UNITED STATES MAGISTRATE JUDGE

18   DATED: January 11, 2022

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